

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KOSHER SPORTS, INC.,

Plaintiff,

-against-

QUEENS BALLPARK COMPANY, LLC,

Defendant.  
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: CASE NO.: CV-10-2618 (JBW)(RLM)  
:

: **STIPULATION**  
:

**WHEREAS** on February 21, 2012, Judge Weinstein issued a Memorandum and Order (the "Order") denying plaintiff Kosher Sports, Inc.'s ("KSI") motion for partial summary judgment and granting defendant Queens Ballpark Company, LLC's ("QBC") motion for summary judgment as to KSI's claims as well as to its counterclaim for breach of contract;

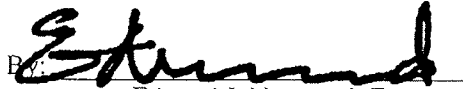
**WHEREAS** the Order respectfully requests that this Court prepare a report and recommendation regarding both the amount of damages now due to QBC from KSI, and the future responsibilities of the parties, if any, under the Contract;

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned as follows:

1. The total amount of damages now due to QBC from KSI, including costs and disbursements pursuant to 28 USC § 1920 and Fed. R. Civ. P. 54(d)(1), is \$55,000.
2. This Stipulation may be executed via email or facsimile and in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Dated: March 12, 2012

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SO ORDERED.

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Hon. Roanne L. Mann, U.S.M.J.